



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	KNG-MVK-2005-79
EVALUATOR:	Kaaren Geter
PHONE NO.:	(601) 631-5162
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	January 6, 2006
EXPIRATION DATE:	January 27, 2006

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Louisiana Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the LRS 30:2074 A(3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address and the Louisiana Department of Environmental Quality, Office of Environmental Services, Post Office Box 4313, Baton Rouge, LA 70821-4313.

The Louisiana Department of Environmental Quality has a copy of the application on file in their office in Baton Rouge and may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained from the Louisiana Department of Environmental Quality upon payment of cost of printing. The Louisiana Department of Environmental Quality will make a final decision on the water quality certification pertaining to this application within 30 days after expiration of this notice.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. Jeff Lewis
Agriana, LLC
8511 Trailwood Avenue
Baton Rouge, Louisiana 70810

Name of Agent:

J. Clay Cromwell
Wildlife Technical
Services, Incorporated
Post Office Box 820188
Vicksburg, Mississippi
39182-0188

Location of Work: Sections 13, 14, 23, 24 and 26, T12N-R11E, UTM 15 3539752N 659459E, within the Tensas River drainage basin, Tensas Parish, southwest of Newellton, Louisiana.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to discharge dredged and/or fill material associated with the construction of a game fence for wildlife management and a flood relief channel. The applicant has previously cleared the right-of-way needed for placement of the proposed ditch, fence, and access road. The right-of-way was cleared using a hydro-ax in the wetland areas. The applicant is maintaining these areas by bush hogging. Since the work did not result in a discharge of dredged and/or fill material in jurisdictional areas, no Department of the Army permit was required for that portion of the work.

The proposed project tract is approximately 2,300 acres. The project area consists of predominately forested upland habitat with associated forested wetland depressional areas and wetland sloughs transecting the property. A portion of the property is agricultural land located on the western edge of the property and is currently in crop production. Adjoining properties are primarily utilized for agricultural row crop production. The total project impact area would include 53.81 acres (9.46 miles), of which 13.813 acres are wetlands and 0.222 acre are other waters of the United States.

Approximately 13.795 acres of bottomland hardwood wetlands and 0.018 acre of herbaceous wetland would be impacted by the proposed project. Vegetation in these areas consist of green ash, overcup oak, willow oak, elm, bald cypress, hackberry and nuttall oak.

Other waters located on the site include two perennial streams (Clark Bayou and Routh Bayou), and ephemeral drains. Clark Bayou

runs from east to west within the north portion of the property. Routh Bayou runs north to south and with its headwaters being located at the center portion of the property.

The applicant proposes to construct a drainage ditch or a flood relief channel along the outer property boundary. The drainage ditch would be constructed along the southern, western, northern property boundary, a portion of the eastern property boundary, and the interior portion of the property. The flood relief channel would be constructed along a major portion of the eastern property boundary. A drainage ditch would also be constructed along an interior portion of the property. The drainage ditch or flood relief channel would be excavated adjacent to the outer property boundary. The game fence and access road would be placed interior to the ditch or flood relief channel.

A 45-foot wide right-of-way would be placed along the southern, western, northern property boundary, a portion of the eastern property boundary, and the interior portion of the property. This right-of-way would consist of a 15-foot wide drainage ditch and 30-foot wide embankment. The embankment would be used for placement of the game fence and access road.

A 70-foot wide right-of-way would be placed along a major portion of the eastern property boundary. This right-of-way would consist of a 30-foot wide flood relief channel and a 30-foot wide embankment, for placement of the game fence and access road. The flood relief channel would serve as a portion of an overall Tensas Parish Police Jury flood relief project. The proposed channel would extend from an existing Tensas Parish Drainage Canal north approximately 3,845 linear feet to where it would tie into the Clark Bayou. The flood relief channel would flow from south to north and empty into Clark Bayou.

Material excavated from the drainage ditch and flood relief channel would be used to create the embankments required for placement of the game fence and an access road throughout the site.

The proposed project would be constructed in a manner not to impede the natural flow of storm water through the property and the adjoining properties. Approximately 20 culvert crossings ranging from 22 inches to 36 inches would be placed within each drain crossing and low lying wetland habitat where natural drainage through the site occurs. (See attached drawing for approximate culvert locations.) The placement of each culvert would allow the natural storm water flow to continue and not impede the natural hydrology of the site.

The applicant proposes to restore 26.0 acres of on-site degraded open field wetlands as compensatory mitigation. The restoration would be accomplished through the planting of site suitable hardwood seedlings. The species to be planted would include persimmon, green ash, cow oak, overcup oak, water oak, shumard oak, and nuttall oak. The species would be planted in an approximately 12' X 12' spacing. The site would be monitored to ensure the survival of an average of 100 trees per acre for a period of five years. A mitigation covenant would be placed on the mitigation area. The exact location of the proposed mitigation site would be determined prior to issuance of the necessary wetland permitting authorizations.

The placement of dredged and/or fill material in wetlands and other waters of the United States associated with mechanized land clearing and road construction requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Tensas Parish listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

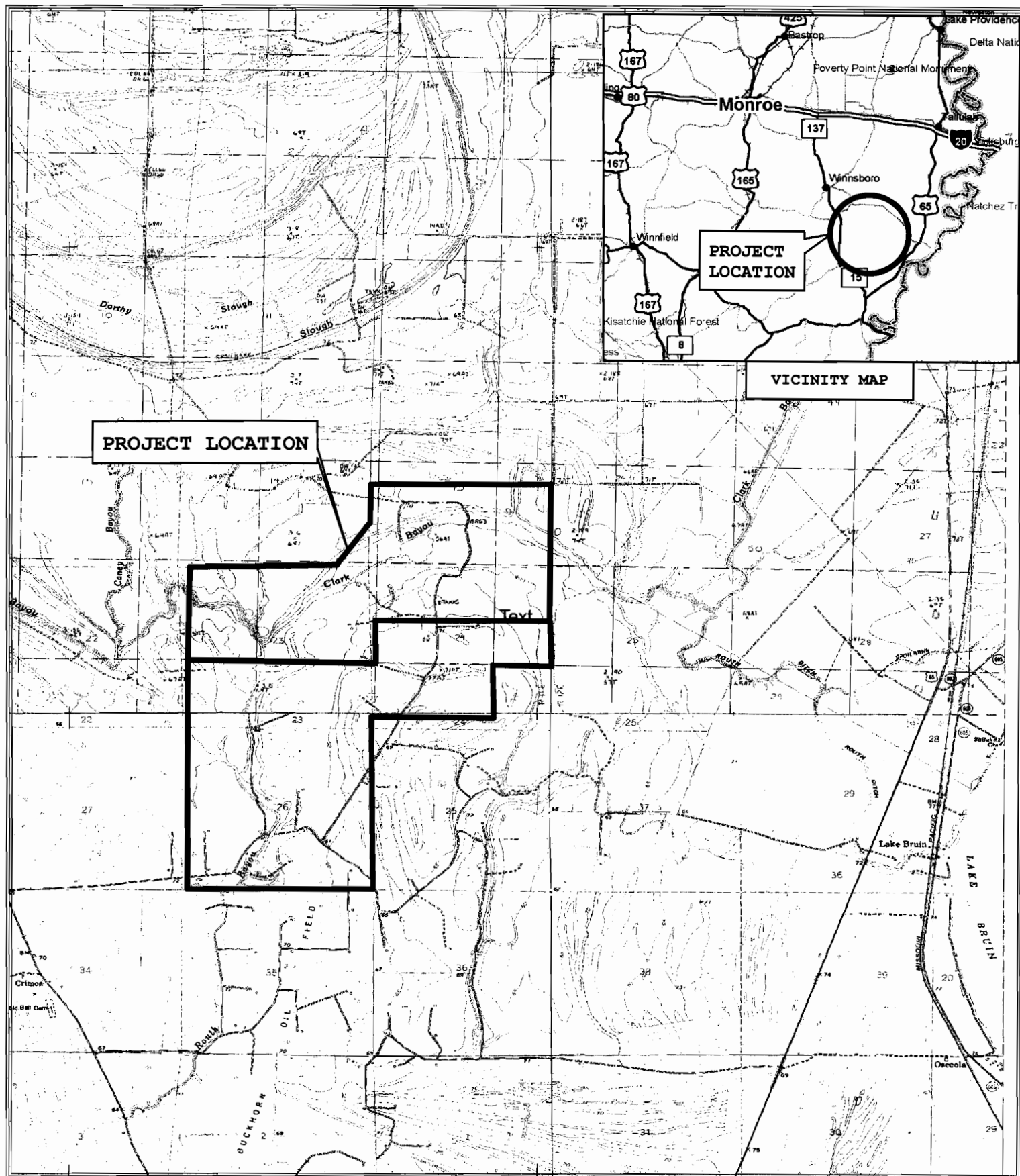
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at [http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/Monthly Notice/pnmain.asp](http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp).

for Joyce Butler
W. Harold Lee
Team Leader
Evaluation Section

THE AGRIANA PROPERTY GAME ENCLOSURE PROJECT



SARANAC/LAKE BRUIN QUADS

CEMVK-OD-FE KNG-MVK-2005-79



MR JEFF LEWIS
AGRIANA LLC

A horizontal scale bar with a black background and white markings. The bar is labeled with '0', '0.5', '1', and '2' at regular intervals. Above the '1' mark, the text '1:50,334' is written. To the right of the '2' mark, the word 'Miles' is written. A white rectangular box is positioned on the bar, spanning from approximately 0.4 to 0.8 miles.





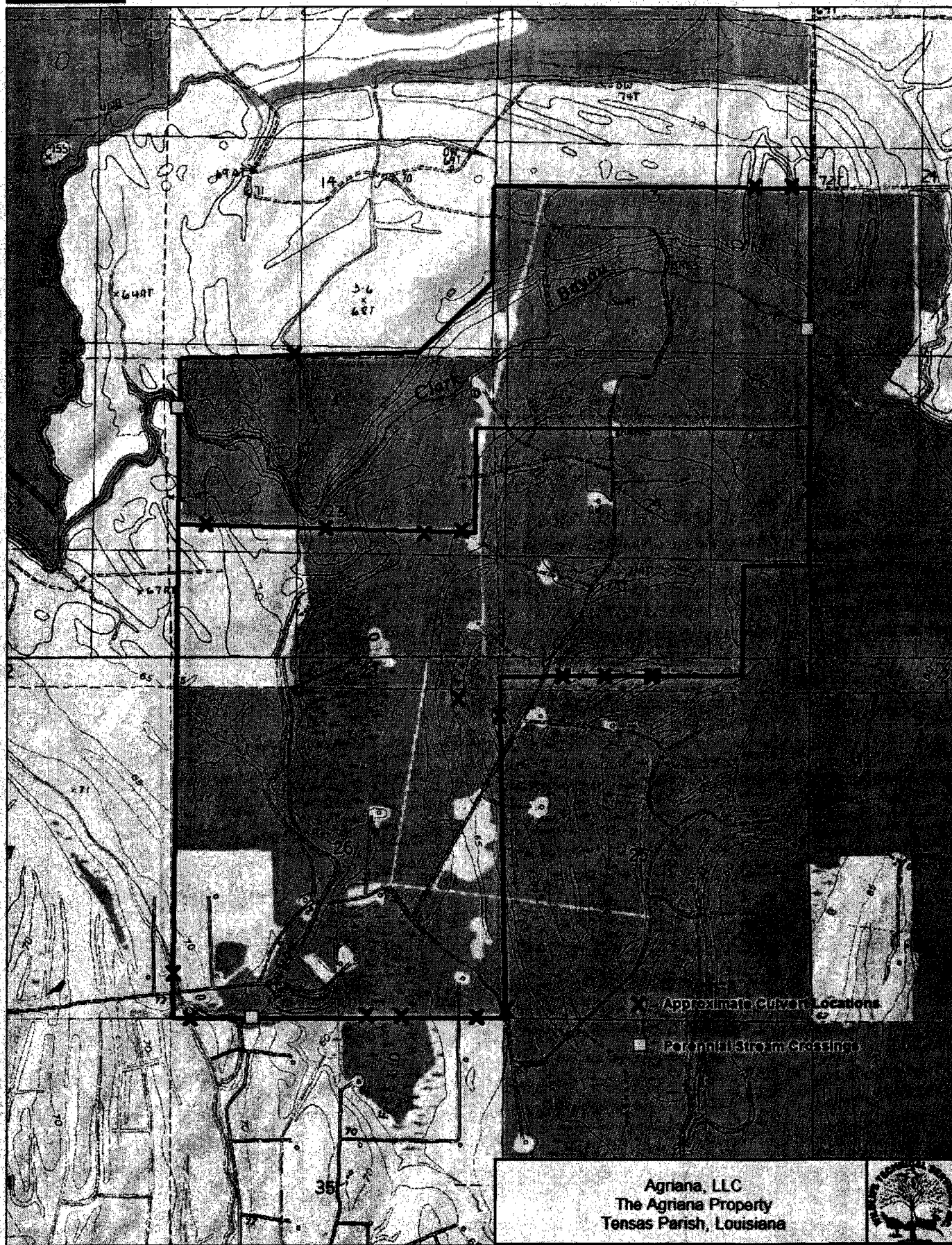
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 Wetlands & Other Waters of the U.S.
 Proposed ROW Area

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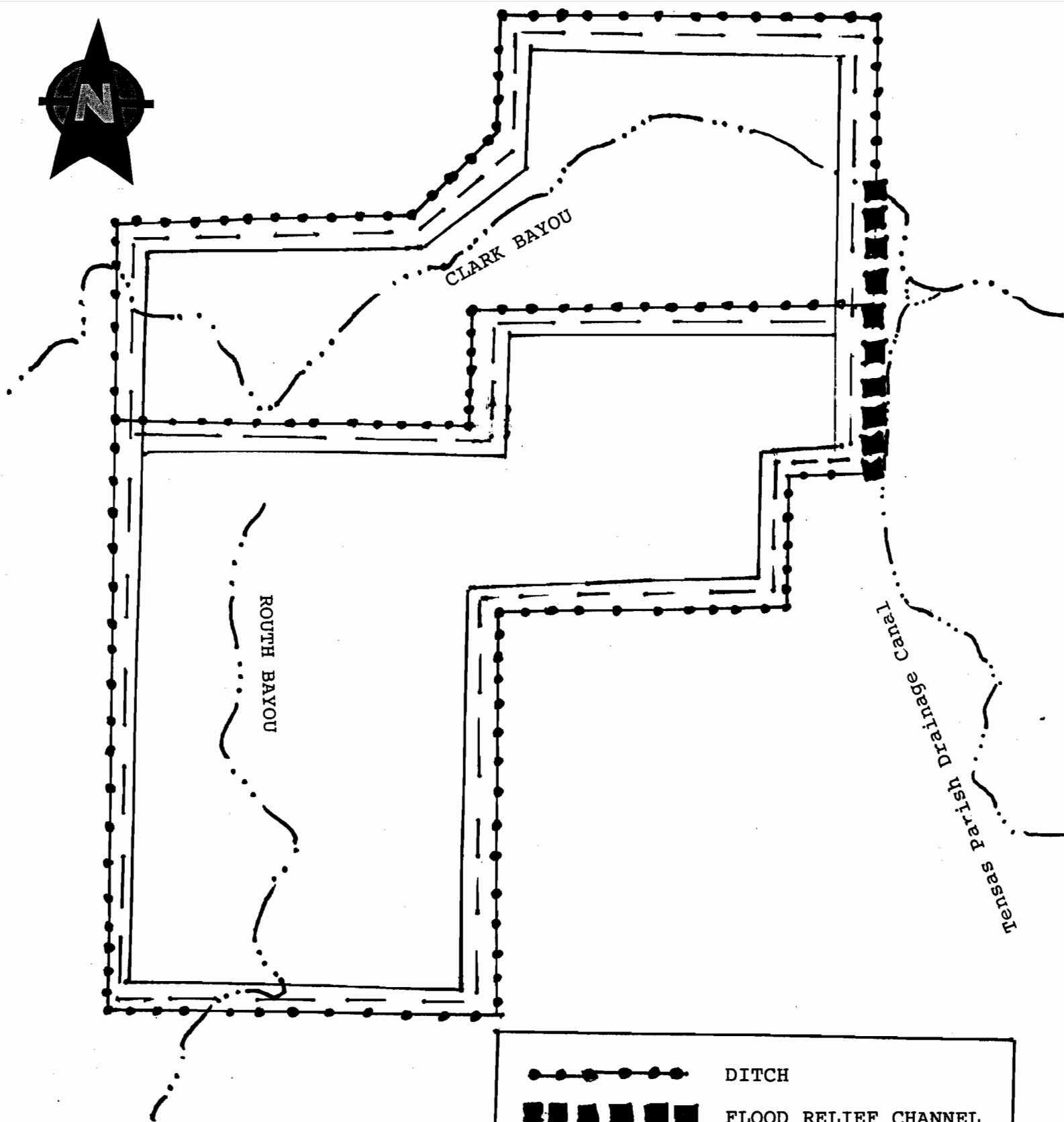


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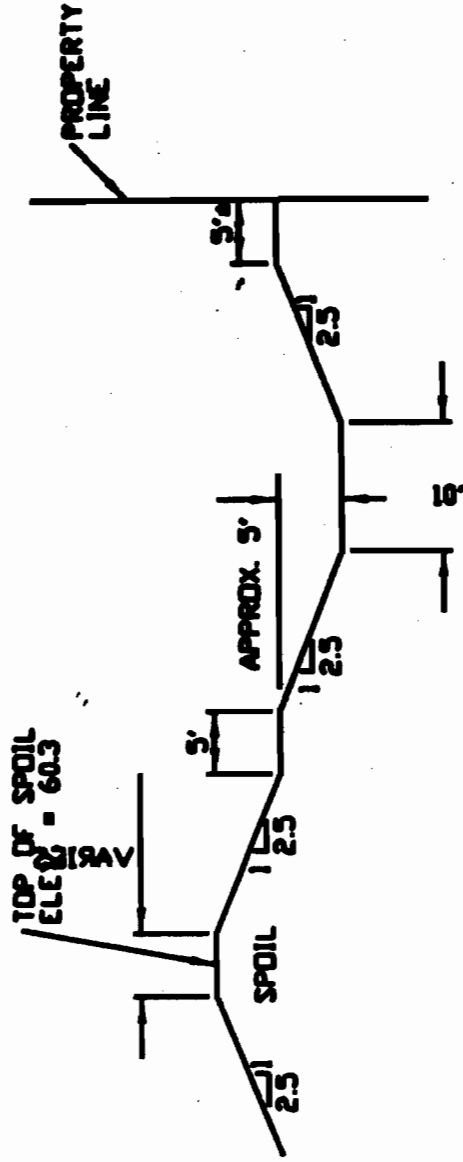
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	DITCH
	FLOOD RELIEF CHANNEL
	FENCE
	ROAD
	Other Water of U.S.

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TYPICAL SECTION FOR PROPOSED FLOOD RELIEF CHANNEL

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